

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RICHARD BLECHA,

Defendant.

8:12CR132

ORDER

Defendant Richard Blecha appeared before the court on October 23, 2018, on a Petition for Warrant or Summons for Offender Under Supervision [40]. Defendant was represented by Assistant Federal Public Defender Jeffrey L. Thomas, and the government was represented by Assistant U.S. Attorney Christopher L. Ferretti. The government moved for detention, and a detention hearing and preliminary hearing were set for October 25, 2018. Pursuant to the Motion to Withdraw Motion for Detention Hearing and Preliminary Hearing [54] filed by Defendant on October 24, 2018, Defendant declined to present any evidence on the issue of detention and otherwise waived a detention hearing. Defendant also waived his right to a probable cause hearing on the Petition pursuant to Fed. R. Crim. P. 32.1(b)(1)(A).

Defendant has failed to meet his burden to establish by clear and convincing evidence that he will not flee or pose a danger to any other person or to the community. Fed. R. Crim. P. 32.1(a)(6); 18 U.S.C. § 3143(a)(1). I find that the Petition [40] alleges probable cause and that Defendant should be held to answer for a final dispositional hearing before Senior Judge Bataillon.

IT IS ORDERED:

1. Defendant's Motion to Withdraw Motion for Detention Hearing and Preliminary Hearing [54] is granted.
2. A final dispositional hearing will be held before Senior Judge Bataillon in Courtroom No. 3, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, on December 21, 2018, at 10:30 a.m. Defendant must be present in person.
3. Defendant is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility;

4. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and

5. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

Dated this 25th day of October, 2018.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge